

### **REMARKS**

Applicants present this Amendment and Response to address the Office Action having a mailing date of October 21, 2009.

#### **Nonstatutory Obviousness-Type Double Patenting**

Claims 1-31 have been rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6,374,261 to Alvarez et al. A Terminal Disclaimer has been filed concurrently herewith. Accordingly, the obviousness-type double patenting rejection is moot.

#### **Allowed and Allowable Claims**

Claims 1-2 and 4-6 have been rejected under 35 U.S.C. § 102(c) as being anticipated by Madsen et al. (U.S. Patent Publication No. 2005/0004942). Claim 1 has been amended to include the features of allowable claim 3 and claim 6 has been amended to include the features of allowable claim 7. Claims 3, 5, and 7 have been canceled without intending to abandon or to dedicate to the public any patentable subject matter. Accordingly, all of the pending claims appear to include allowable subject matter.

Based on the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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